

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:16-CR-118-01-KAC-DCP
)	
DONALD HOPSON, JR.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the Court on Motion to Review Attorney Appointment [Doc. 56], filed by Federal Defender Nicholas Wallace on October 26, 2023.

In the motion, Federal Defender Nicholas Wallace states that the defendant directed him to file the motion and that the attorney-client relationship has deteriorated to the point that counsel cannot effectively work with Defendant to properly conclude his case.

The parties appeared before the Court for a hearing on the motion on November 2, 2023. Assistant United States Attorney Miriam Johnson appeared on behalf of the Government. Federal Defender Nicholas Wallace appeared on behalf of Defendant, who was also present. Attorney Rachel L. Wolf was also present at the Court's request.

At the motion hearing, the Government confirmed that it had no position on the motion. The Court also conducted a sealed, *ex parte* portion of the hearing to learn more about the nature and extent of the problems with the attorney-client relationship. Without going into the confidential nature of that discussion, the Court is reasonably satisfied that there are sufficient grounds to substitute counsel based on a strained relationship, which is suffering from a breakdown

of communication that has compromised beyond repair counsel's ability to render effective assistance. Good cause therefore exists for substitution of counsel.

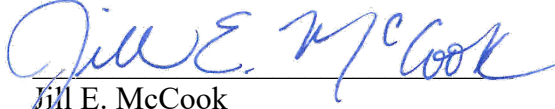
The Motion to Review Attorney Appointment [**Doc. 56**] is **GRANTED** and Federal Defender Nicholas Wallace and the Federal Defender Services of Eastern Tennessee are **RELIEVED** as counsel of record for Defendant. Attorney Rachel L. Wolf agreed to accept representation of Defendant at the hearing. The Court **SUBSTITUTES and APPOINTS** Attorney Rachel L. Wolf under the Criminal Justice Act, 18 U.S.C. § 3006A, as counsel of record for Defendant. The Court **DIRECTS** former Federal Defender Nicholas Wallace to provide the discovery and information from Defendant's file to Attorney Rachel L. Wolf.

Accordingly, the Court **ORDERS**:

- (1) The Motion to Review Attorney Appointment [**Doc. 56**] is **GRANTED**;
- (2) Federal Defender Nicholas Wallace and the Federal Defender Services of Eastern Tennessee are **RELIEVED** of further representation of Defendant; and
- (3) Attorney Rachel L. Wolf is **SUBSTITUTED and APPOINTED** as counsel of record for Defendant.

IT IS SO ORDERED.

ENTER:


Jill E. McCook
United States Magistrate Judge